

FISCAL NOTE

Bill #: HB0328

Title: Revise criteria for issuing or renewing air quality permit

Primary Sponsor: Harris, C

Status: As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
-------------------	------	---------------------------------	------

Fiscal Summary

	FY 2004 Difference	FY 2005 Difference
Expenditures:	\$0	\$0
Revenue:	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

- | | |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

1. HB 328 will require the Department of Environmental Quality (DEQ), when deciding whether to approve or deny a Montana Air Quality Permit application, to consider the applicant's record of compliance with the provisions of the federal Clean Air Act in all states and to consider the applicant's compliance record in Montana with the provisions of the Clean Air Act of Montana. The bill would allow the DEQ to deny or condition a permit for noncompliance with the provisions of the Clean Air Act of Montana.
2. When conducting an analysis of an applicant's compliance history, the DEQ will rely on: (1) an Environmental Protection Agency database that tracks the compliance history of facilities with the federal Clean Air Act, and (2) a Montana maintained database that tracks the compliance history of facilities with the Clean Air Act of Montana. These federal and state databases are the only practical method of gathering this compliance information and the results of this analysis will be reviewed by permitting staff to determine if a Montana Air Quality Permit can be issued to the applicant in accordance with the provisions of this bill.
3. The DEQ receives approximately 250 Montana Air Quality Permit applications in a year. The databases described in assumption one will be reviewed to ensure that a Montana Air Quality Permit can be issued. The compliance analysis will be completed by existing staff of the permitting division and will be conducted concurrent with the existing review currently conducted on an application.
4. Additional expenses associated with staff time incurred for compliance report preparation and review will be absorbed by the program.

Fiscal Note Request HB0328, As Introduced
(continued)

5. Denial of applications based on an applicant's compliance record may reduce future permit fee revenue. The department is unable to estimate the amount of revenue reduction.
6. This legislation will have no fiscal impact to the department.